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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 MACK JOSEPH MILLER, II, individually,

9 Plaintiff,

10 v.

11 WAL-MART STORES, INC., et al.,

12 Defendant.
13

Case No. 2:17-cv-02052-APG-PAL

ORDER DISMISSING CASE

(ECF No. 15)

14 On October 6, 2017, defendant Wal-Mart filed a motion to dismiss this case due to the
15 plaintiff's failure to prosecute his claims. ECF No. 15. The plaintiff has not responded to the motion
16 and the time to do so has expired. Under Local Rule 7-2(d), the "failure of an opposing party to
17 file points and authorities in response to any motion . . . constitutes a consent to the granting of the
18 motion." In addition, the motion is supported by good cause. I therefore grant the motion.

19 IT IS HEREBY ORDERED that Wal-Mart's motion to dismiss (ECF No. 15) is
20 **GRANTED** and this lawsuit is DISMISSED without prejudice. The clerk of court shall enter
21 judgment accordingly.

22 Dated: November 10, 2017.

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25 ANDREW P. GORDON
26 UNITED STATES DISTRICT JUDGE
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